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Attorneys for Defendants
8 *Christopher Bates and Jeffrey O'Brien*

9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA
11
12

13 **Jeff Macy, as an individual, Jerusha**
14 **Macy, as an individual, Josiah Macy,**
15 **as an individual, and Jodiah Macy, as**
an individual,

16 Plaintiffs,

17 v.

18 **California Highway Patrol, a State**
19 **Agency; Officer Christopher Bates;**
20 **Supervisor Officer Sergeant Jeffrey**
O'Brien, and Does 1 - 10, inclusive,

21 Defendants.
22

5:23-CV-02245-RGK-BFM

**DEFENDANTS' REQUEST FOR
CLARIFICATION RE: DUE DATE
FOR REPLY MEMORANDUM ON
DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

Judge: Hon. Brianna Fuller Mircheff
Trial Date: TBA
Action Filed: 5/06/2024

23 **REQUEST FOR CLARIFICATION**

24 The Court issued a minute order on February 13, 2025 (ECF 73) addressing
25 the parties' respective motions for summary judgment. The order indicates that
26 Plaintiff's opposition (ECF 70, 71) to Defendants' motion for summary judgment
27 (ECF 66, 72) is not compliant to the local rules as plaintiff did not file the requisite
28 Statement of Unconverted Facts and Conclusion of Law (Statement). (ECF 73, p. 2-

1 3.) Further, the order requires Plaintiff to file his Statement no later than March 4,
2 2025, and takes the hearing on Defendants' motion for summary judgment off-
3 calendar. (*Id.*, p. 3-4.)

4 Pursuant to Local Rule 7-10, a reply to an opposition to a motion is due no
5 later than 14 days *prior* to the hearing. However, since the hearing on Defendants'
6 motion is off calendar, it is unclear to Defendants when a reply is now due.

7 As such, and for clarification, Defendants request that their reply be filed and
8 served no later than March 11, 2025, seven days after Plaintiff's deadline to file a
9 Statement. The proposed date is commensurate with deadlines in Local Rules 7-9
10 and 7-10.

11
12 Dated: February 14, 2025

Respectfully submitted,

13 ROB BONTA
14 Attorney General of California
15 CATHERINE WOODBRIDGE
Supervising Deputy Attorney General

16 */s/ Julio A. Hernandez*

17 JULIO A. HERNANDEZ
18 Deputy Attorney General
19 *Attorneys for Defendants*
Christopher Bates and Jeffrey
O'Brien

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DECLARATION OF SERVICE BY E-MAIL AND U.S. MAIL

Case Name: *Macy, Jeff, et al. v. California Highway Patrol, et al.*

Case No.: **5:23-CV-02245-RGK-BFM**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On **February 14, 2025**, I served the attached **DEFENDANTS' REQUEST FOR CLARIFICATION RE: DUE DATE FOR REPLY MEMORANDUM ON DEFENDANTS' MOTION FOR SUMMARY JUDGMENT** by transmitting a true copy via electronic mail. In addition, I placed a true copy thereof enclosed in a sealed envelope, in the internal mail system of the Office of the Attorney General, addressed as follows:

Jeff Macy

P.O. Box #103

Twin Peaks, CA 92391

E-mail Address: macybuilders@yahoo.com

In Pro Per

I declare under penalty of perjury under the laws of the State of California and the United States of America the foregoing is true and correct and that this declaration was executed on **February 14, 2025**, at Sacramento, California.

Donna Kulczyk

Declarant

/s/ Donna Kulczyk

Signature